IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH

AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.12199 of 2006

Dated: 22nd June, 2006

Between:

Katta Anitha

.. Petitioner

and

The District Collector,

Nellore district, Nellore & others.

.. Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

ORDER:

-

It appears that the petitioner is a Fair Price Shop dealer. Her dealership was cancelled by the third respondent-Revenue Divisional Officer through his proceedings dated 24.12.2005 after conducting due enquiry into the matter. Aggrieved by the same, petitioner filed an appeal before the second respondent-Joint Collector and the second respondent also confirmed the order passed by the third respondent. However, during the pendency of appeal, petitioner approached this Court by way of a writ petition when his stay petition was not considered. This Court, having regard to the facts and circumstances of the case, while disposing of the writ petition granted stay of operation of the order passed by the third respondent-Revenue Divisional Officer dated 24.12.2005 during the pendency of appeal before the second respondent. Aggrieved by the order of the second respondent, petitioner filed revision before the first respondent-District Collector. Along with the revision, petitioner also filed stay petition. In the impugned communication dated 12.6.2006, it is stated that the revision petition is posted for hearing on 26.6.2006 and if the petitioner fails to avail the opportunity, orders will be issued on the basis of material available on record, but in the subject of the said notice, it has been mentioned that 'stay not granted' indicating that stay petition is dismissed. Aggrieved by the same, the present writ petition is filed.

The complaint of the petitioner is that neither she was heard in the stay petition nor any detailed order was passed by the revisional authority, except stating that 'stay not granted' and the appeal is posted for hearing on 26.6.2006.

In the facts and circumstances of the case, since the petitioner has been continuing as Fair Price Shop dealer even during the pendency of appeal before the second respondent-Joint Collector, I deem it appropriate to direct the respondents not to give effect to the proceedings issued by the third respondent-Revenue Divisional Officer dated 24.12.2005, which was confirmed by the second respondent-appellate authority, during the pendency of revision before first respondent-revisional authority.

With the above direction, the writ petition is accordingly disposed of. No order as to costs.

_____

C.V.RAMULU, J

Date: 22.6.2006

DA

THE HON'BLE SRI JUSTICE C.V.RAMULU

22.6.2006